

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

In re:

Case No. **20-33177-KRH**

**Kandise Nadine Lucas**  
514 East Williamsburg Road  
Sandston, VA 23150  
SSN/ITTN: xxx-xx-2827  
Debtor

Chapter 13

**NOTICE OF MOTION**

The above Debtor(s) have filed papers with the Court to request an order to Motion to Approve Loan Modification Secured by Real Property.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

**NOTICE IS HEREBY GIVEN THAT A HEARING ON THIS MOTION WILL BE HELD AT THE UNITED STATES BANKRUPTCY COURT, U.S. COURTHOUSE, 701 EAST BROAD STREET, COURTROOM 5000, RICHMOND, VIRGINIA, 23219, ON JULY 10, 2024 at 12:00 P.M.**

- (1) Principal Balance of **before** new loan modification is **\$34,117.86;**
- (2) Principal Balance of **after** loan modification is **\$39,887.88 (inclusive of pre-petition and post-petition arrears and unpaid interest);**
- (3) Interest rate is **before** loan modification **7.375%;**
- (4) Interest rate is **after** loan modification **6.875%;**
- (5) Maturity Date **before** loan modification **7/1/2031;**
- (6) Maturity Date **after** loan modification **6/1/2054;**
- (7) Monthly payment **before** loan modification **\$950.04** included **interest and escrow;**
- (8) Monthly payment **after** loan modification **\$262.03** including principal and interest and **\$340.16** escrow;
- (9) The modification results in a lower monthly payment. Future plan payments will not increase, given debtor is below median.

**KIMBERLY A. CHANDLER, VSB# 47897**  
**CHANDLER LAW FIRM**  
P.O. 17586  
Richmond, VA 23226  
Office: (804) 353-1971  
Fax: (804) 723-0954  
Counsel for Debtors

(C) If no objection is filed within the objection period, the court, in its discretion, may enter an order endorsed by the chapter 13 trustee approving the loan modification.

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then, within **twenty-one (21) days** from the date of this Notice you or your attorney must:

- File with the court, at the address shown below, a written request for a hearing [or written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for a hearing (or response) to the court for filing, you must mail it early enough so the court will receive it on or before the date above, to:

Clerk of Court  
United States Bankruptcy Court  
701 East Broad Street  
Suite 4000  
Richmond, VA 23219

You must also mail a copy to:

**CHANDLER LAW FIRM**  
P.O. Box 17586  
Richmond, VA 23226

- Attend the hearing scheduled above. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting the motion.

Dated: June 12, 2024

By: /s/ Kimberly A. Chandler  
**Kimberly A. Chandler, VSB# 47897**  
**CHANDLER LAW FIRM**  
P.O. Box 17586  
Richmond, VA 23226  
Office: (804) 353-1971  
Fax: (804) 723-0954  
Counsel for Debtor(s)

**CERTIFICATE OF SERVICE**

I hereby certify that on June 12, 2024, a copy of the foregoing Notice was electronically transmitted and/or mailed to the Chapter 13 Trustee, and to all creditors and parties in interest requesting electronic notice.

/s/Kimberly A. Chandler  
Counsel for Debtor(s)

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

In re:

Case No. **20-33177-KRH**

**Kandise Nadine Lucas**  
514 East Williamsburg Road  
Sandston, VA 23150  
SSN/ITTN: xxx-xx-2827  
Debtor

Chapter 13

**MOTION TO APPROVE  
LOAN MODIFICATION SECURED BY REAL PROPERTY**

COME NOW, the Debtor(s), Kandise Nadine Lucas, FKA Kandise Thomas-Humphrey by counsel, and as for her Motion to Approve Loan Modification of Loan Secured by Real Property pursuant to 11 U.S.C. §§ 364(a) and 1304(b), Federal Rules of Bankruptcy Procedure 4001(c) and 9014, and Local Bankruptcy Rules 9013-1. In support thereof, Debtor(s) state as follows:

1. This Court has exclusive jurisdiction over this matter pursuant to 28 U.S.C. § 1334.
2. This proceeding is a core proceeding under 28 U.S.C. §157(b)(2)(A), (B), (K), and (O).
3. Venue is proper pursuant to 28 U.S.C. § 1409.
4. On July 23, 2020 (the “Petition Date”), Debtor(s) filed for an order for relief under Chapter 13 of the Bankruptcy Code protection pursuant to 11 U.S.C. § 101 et seq.
5. The Chapter 13 plan, filed August 20, 2020 (the “Plan”), has been confirmed by this Court.
6. The Plan requires Debtor(s) to pay the Chapter 13 Trustee 60 monthly payments for a total funding of \$27,000.00.
7. Debtor owns the real estate located at 10906 Sassafras Drive Hopewell, VA 23860 (the “Real Property”) and has a fee simple interest described more particularly as:

**KIMBERLY A. CHANDLER, VSB# 47897**  
**CHANDLER LAW FIRM**  
P.O. 17586  
Richmond, VA 23226  
Office: (804) 353-1971  
Fax: (804) 723-0954  
Counsel for Debtors

ALL that certain lot, piece or parcel of land with all improvements thereon and appurtenances thereto belonging, lying and being in the County of Prince George, Virginia, shown and designated as Lot 2, Block 13, Section 7, on Subdivision Plat of Beechwood Manor, recorded in the Clerk's Office of the Circuit Court of Prince George County, Virginia, in Plat Book 16, pages 38-41, to which plat reference is hereby made for a more particular description of the property.

BEING the same property conveyed to James M. Crusoe and Debra D. Crusoe, husband and wife, by deed of assumption from Chris A. Lecomte and Tamie R. Lecomte, husband and wife, dated April 25, 1988 and recorded May 3, 1988 in the Clerk's Office of the Circuit Court of Prince George County, Virginia in Deed Book 306, page 222.

8. Upon information and belief, the Real Property is encumbered by lien(s) in favor of Servbank, SB, and the present payoff balance(s) are approximately **\$34,117.86**, and current monthly payment is **\$950.04**.

9. Debtor(s) have obtained an interim loan modification agreement, signed by the debtor, from Servbank, SB for a refinance/loan modification loan on the Real Property. A copy of the proposed Loan Modification is attached as Exhibit "1" and incorporated herein by this reference. The terms of the proposed loan are as follows:

- a. Principal Balance of before new loan modification is **\$34,117.86**;
- b. Principal Balance of after loan modification is **\$39,887.88 (inclusive of pre-petition and post-petition arrears and unpaid interest)**
- c. Interest rate is before loan modification **7.375%**;
- d. Interest rate is after loan modification **6.875%**;
- e. Maturity Date before loan modification **7/1/2031**;
- f. Maturity Date after loan modification **6/1/2054**;
- g. Monthly payment before loan modification **\$950.04**; included **interest and escrow**;
- h. Monthly payment after loan modification **\$262.03** including principal and interest and **\$340.16** escrow;
- i. The modification results in a lower monthly payment. Future plan payments will not increase, given Debtor is below median.

10. Debtor(s) seek permission from the Court for interim Approval of the Loan Modification Terms of Loan Secured by Real Property loan modification terms.

WHEREFORE, Debtor(s) pray that this Court enter an interim Order Approving the Loan Modification Secured by Real Property with terms set forth herein and for such other and further relief as the Court deems proper.

Dated: June 12, 2024

By: /s/Kimberly A. Chandler  
**KIMBERLY A. CHANDLER, VSB# 47897**  
**CHANDLER LAW FIRM**  
P.O. Box 17586  
Richmond, VA 23226  
Office: (804) 353-1971  
Fax: (804) 723-0954  
Counsel for Debtor(s)

#### **CERTIFICATE OF SERVICE**

I hereby certify that on June 12, 2024, a copy of the foregoing Motion was electronically transmitted and/or mailed to the standing Chapter 13 Trustee and to all creditors and parties in interest.

By: /s/Kimberly A. Chandler  
Counsel for the Debtor(s)

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

In re:

Case No. **20-33177-KRH**

**Kandise Nadine Lucas**  
514 East Williamsburg Road  
Sandston, VA 23150  
SSN/ITTN: xxx-xx-2827  
Debtor

Chapter 13

**Summary of the Proposed Loan Modification**

	<b><u>Original Loan</u></b>	<b><u>Modified Loan</u></b>
<b><u>Principal Amount</u></b>	<b>\$34,117.86</b>	<b>\$39,887.88</b>
<b><u>Interest Rate</u></b>	<b>7.375%</b>	<b>6.875%</b>
<b><u>Term or Maturity Date</u></b>	<b>7/1/2031</b>	<b>6/1/2054</b>
<b><u>Monthly Payment</u></b>	<b>\$950.04</b>	<b>\$602.19*</b>

☐ 2. The modified loan includes future payment changes or balloon payments. The terms of any such future payment changes or balloon payments are:

☐ 3. The modification results in a higher monthly payment. The source(s) of the funds used to make that payment is/are: Current Monthly income and lower trustee payments.

☒ 4. The modification results in a lower monthly payment. Choose one of the following:

☐ a. The amount of future plan payments will be increased.

☒ b. The amount of future plan payments will not be increased.

\* Including principal and interest **\$262.03** plus **\$340.16** escrow.